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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO REVIEW AND  
REPORT ON THE PROCEDURES FOR AND DETERMINATIONS ON  
APPLICATIONS FOR GEOGRAPHIC EXCEPTIONS WITHIN THE  
DEPARTMENT OF EDUCATION.

1           WHEREAS, section 302A-1143, Hawaii Revised Statutes,  
2 requires a person of school age to attend the school of the  
3 service area, as determined by the Department of Education, in  
4 which the person resides, unless any one of three exceptions  
5 apply; and

6  
7           WHEREAS, one exception to this requirement is a requested  
8 geographic exception to attend a school in another service area,  
9 which may be granted at the discretion of the Department of  
10 Education; and

11  
12           WHEREAS, section 8-13-4, Hawaii Administrative Rules, vests  
13 authority to approve or disapprove a geographic exception in the  
14 principal of the receiving school, after communicating with the  
15 home school principal; and

16  
17           WHEREAS, Board of Education Policy 500-12, relating to  
18 geographic exceptions to the mandatory school attendance law,  
19 provides that the process established by the Department of  
20 Education for the handling and approval of geographic exception  
21 requests shall be "equitable, widely publicized and 'user  
22 friendly' to parents and children"; and

23  
24           WHEREAS, the number of students attending public schools in  
25 Hawaii under geographic exceptions has increased significantly  
26 in recent years, with slightly over twenty thousand students  
27 receiving geographic exceptions during the 2018-2019 school  
28 year, as compared to approximately eight thousand students in  
29 2005; and



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1 WHEREAS, many Hawaii families have expressed concerns  
2 regarding the fairness and objectivity of the criteria employed  
3 when processing geographic exception requests; and  
4

5 WHEREAS, the unprecedented investment in distance learning  
6 equipment and training due to the COVID-19 pandemic has created  
7 innovative opportunities for students to enroll in distance  
8 learning courses across multiple schools; and  
9

10 WHEREAS, gathering information and exploring potential  
11 reforms related to geographic exception procedures will promote  
12 equity and accountability in serving the diverse educational  
13 needs of Hawaii's public school students; now, therefore,  
14

15 BE IT RESOLVED by the House of Representatives of the  
16 Thirty-first Legislature of the State of Hawaii, Regular Session  
17 of 2021, the Senate concurring, that a working group be  
18 established to review and report on the procedures for and  
19 determinations on applications for geographic exceptions within  
20 the department of education; and  
21

22 BE IT FURTHER RESOLVED that the working group review and  
23 report include:  
24

- 25 (1) An analysis of the historical use of geographic  
26 exceptions that reaches back at least ten years from  
27 the present school year;  
28
- 29 (2) Disaggregated data categorized by home school and  
30 receiving school; student demographics, including  
31 ethnicity, for geographic exceptions that were  
32 approved and those that were disapproved; special  
33 education services needed; status as an English  
34 Language Learner student; status as a student  
35 recipient of free or reduced lunch; and the reasons  
36 provided for approval or disapproval;  
37
- 38 (3) A compilation of: the date of application for a  
39 geographic exception by a parent or substitute legal  
40 guardian with the date of receipt by a school, the  
41 number of days prior to or after the March 1 deadline  
42 that the application was received, the number of days



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1 it took for a school to respond to the application,  
2 and whether a written appeal was made and its outcome;

- 3
- 4 (4) The number of students attending school under a
- 5 geographic exception as a percentage of total
- 6 enrollment numbers for each school;
- 7
- 8 (5) The appropriateness of geographic exception review
- 9 procedures, including principal-applicant interviews
- 10 and consideration of student grades and test scores;
- 11
- 12 (6) The feasibility and possible timeline for implementing
- 13 an online geographic exception and school enrollment
- 14 platform;
- 15
- 16 (7) How other states administer geographic exception
- 17 programs;
- 18
- 19 (8) Equity implications based on the information contained
- 20 in the report, clarifying any opportunities to promote
- 21 a more efficient allocation of funds and objective
- 22 standards for approval or disapproval in the
- 23 geographic exception process; and
- 24
- 25 (9) The regulatory and collective bargaining changes
- 26 needed to enable students to enroll in distance
- 27 learning courses at schools where they are not
- 28 enrolled; and
- 29

30 BE IT FURTHER RESOLVED that the working group shall consist  
31 of the following members:

- 32
- 33 (1) One member of the House of Representatives to be
- 34 designated by the Speaker of the House of
- 35 Representatives, who shall co-chair the working group;
- 36
- 37 (2) One member of the Senate to be designated by the
- 38 President of the Senate, who shall co-chair the
- 39 working group;



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1 (3) The Superintendent of Education, or the  
2 Superintendent's designee; and  
3

4 (4) The Chair of the Board of Education, or the Chair's  
5 designee; and  
6

7 BE IT FURTHER RESOLVED that the co-chairs of the working  
8 group shall invite the following individuals to participate as  
9 members of the working group:

10 (1) A Department of Education Complex Area Superintendent;  
11

12 (2) A Department of Education principal;  
13

14 (3) A representative from the Hawaii State Teachers  
15 Association;  
16

17 (4) A representative of the Hawaii Government Employees  
18 Association;  
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20 (5) A representative from the nonprofit sector;  
21

22 (6) An expert in the area of open educational resources;  
23

24 (7) An expert in the area of distance learning; and  
25

26 (8) Any other individuals the co-chairs recommend; and  
27  
28

29 BE IT FURTHER RESOLVED that the working group, with the  
30 assistance of the Legislative Reference Bureau, shall submit a  
31 report of its findings and recommendations, including any  
32 proposed legislation, to the Legislature no later than twenty  
33 days prior to the convening of the Regular Session of 2022; and  
34

35 BE IT FURTHER RESOLVED that the working group shall  
36 dissolve on January 30, 2022; and

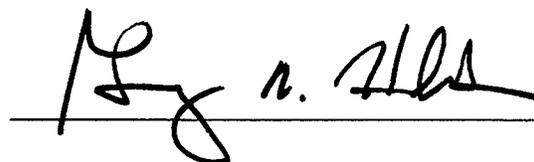


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1 BE IT FURTHER RESOLVED that certified copies of this  
2 Concurrent Resolution be transmitted to the Governor, President  
3 of the Senate, Speaker of the House of Representatives,  
4 Chairperson of the Board of Education, and Superintendent of  
5 Education.

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8

OFFERED BY:



MAR 11 2021

